IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.836 of 2007

Mr.Anant s/o eknath Patil .. Appellalnt

V/s

The Municipal Corporation of

Gr.Mumbai .. Respondents

Shri A.M.Sarogi for Appellant

Ms Geeta Joglekar for BMC

CORAM:S.R.SATHE,J.

DATED:26th Oct.2007

P.C.:-

1. Heard both the learned Advocates.

2. It has been pointed out that the Corporation has passed necessary order with regard to the structure in question on 10-10-2007. In view of this the leaned Advocate for the appellant submits that it would be necessary for him to challenge the said order and for that purpose either to amend the original application or file separate application and the same will have to be decided by the trial Court.

3. In view of this there is no necessity to interfere with the order passed by the trial Court.

3. Hence the trial Court is hereby directed that if any such application is submitted by the appellant the same be decided on merits and according to law.

4. With these observations the present A.O. is disposed of.

5. Parties to act on authenticated copy of this order.

(S.R.SATHE,J.)